

RECORDATION NO. 22211 -D  
FILED

OCT 27 '11 -9 00 AM

ALVORD AND ALVORD  
ATTORNEYS AT LAW  
1050 SEVENTEENTH STREET, NW  
SUITE 301

WASHINGTON, DC

20036

(202) 393-2266

FAX (202) 393-2156

E-MAIL alvordlaw@aol.com

ELIAS C. ALVORD (1942)  
ELLSWORTH C. ALVORD (1964)

SURFACE TRANSPORTATION BOARD

October 27, 2011

Section Chief  
Section of Administration  
Office of Proceedings  
Surface Transportation Board  
395 "E" Street, S.W  
Washington, D C 20423

Dear Ms. Brown:

Enclosed for recordation pursuant to the provisions of 49 U.S.C. Section 11301(a) are two (2) copies of a Notice of Termination of Lease, dated as of October 26, 2011, a secondary document as defined in the Board's Rules for the Recordation of Documents

The enclosed document is a full termination and relates to the Memorandum of Lease Agreement previously filed with the Board under Recordation Number 22211.

The name and address of the party to the enclosed document are:

Lessor	BBRX Five LLC (as ultimate transferee of Bank Austria Creditanstalt Holdings Corporation) 545 Steamboat Road Greenwich, CT 06830
--------	--

[Lessee	The Empire District Electric Company 602 Joplin St Joplin, Missouri 64802]
---------	--

Section Chief  
October 27, 2011  
Page 2

A description of the railroad equipment covered by the enclosed document is.

125 railcars. EDEX 099001 - EDEX 099002, and EDEX 009300 - EDEX 099422.

A short summary of the document to appear in the index is:

Notice of Termination of Lease

Also enclosed is a check in the amount of \$41 00 payable to the order of the Surface Transportation Board covering the required recordation fee.

Kindly return stamped copies of the enclosed document to the undersigned.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Edward M. Luria', written in a cursive style.

Edward M. Luria

EML/bhs  
Enclosures

OCT 27 '11 -9 00 AM

## NOTICE OF TERMINATION OF LEASE

SOUTH CENTRAL TRANSPORTATION BOARD

Notice is hereby given that the railcar lease identified on Exhibit A attached hereto between BBRX Five LLC, as Lessor, and the lessee there identified has been terminated or has expired in accordance with its terms.

IN WITNESS WHEREOF, BBRX Five LLC, has caused this Notice to be executed by a duly authorized officer as of October 26, 2011.

BBRX FIVE LLC, Lessor

By: New Province Rail Partners, Manager

By: [Signature]

Name: Leonard Shavel

Title: Vice President

I certify that I hold the title set forth below, that this instrument was signed on behalf of the Lessor by authority of its Manager and that I acknowledge that the execution of the foregoing instrument was the free act and deed of the Lessor. I further declare under penalty of perjury that the foregoing is true and correct.

By: [Signature]

Name: Leonard Shavel

Title: Vice President

**EXHIBIT A**  
**(to Notice of Termination of Leases)**

**Memorandum of Lease Agreement, dated as of June 25, 1999, between Bank Austria Creditanstalt Holdings Corporation, Lessor, and The Empire District Electric Company, Lessee, filed with the Board on June 28, 1999 at 10:45 a.m. under Recordation Number 22211.**

**Equipment: 125 railcars: EDEX 099001 - EDEX 099002, and EDEX 009300 - EDEX 099422.**

CERTIFICATION

I, Edward M Luria, an attorney licensed to practice in the District of Columbia, the State of Delaware and the Commonwealth of Pennsylvania, do hereby certify under penalty of perjury that I have compared the attached copy with the original thereof and have found the copy to be complete and identical in all respects to the original document

Dated October 27, 2011      Edward M Luria  
Edward M. Luria